

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/655,346	§		
Filed:	September 4, 2003	§	Examiner:	Chou, Alan S
Inventors:		§	Group/Art Unit:	2151
	Bala Dutt, et al.	§	Atty. Dkt. No:	5681-14900
		§		
Title:	Identity for Data Sources	§		
		§		
		§		

REQUEST FOR PRE-APPEAL BRIEF REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. Reconsideration of the present case is earnestly requested in light of the following remarks. Please note that for brevity, only the primary arguments directed to the independent claims are presented, and that additional arguments, e.g., directed to the subject matter of the dependent claims, will be presented if and when the case proceeds to Appeal.

The Office Action rejected claims 1-5, 8-11, 12, 15-18 and 21-23 under 35 U.S.C. § 103(a) as being unpatentable over Ng (U.S. Patent 6,411,956) in view of Felt et al. (U.S. Patent 7,080,119) (hereinafter "Felt"), and claims 6, 7, 13, 14, 19 and 20 as being unpatentable over Ng in view of Felt and Yousefi'zadeh (U.S. Publication 2004/0030739). Applicants note the following **clear errors** in the Examiner's rejection.

Claim 1:

1. Ng in view of Felt does not teach or suggest an identity for each of the plurality of data sources of the application server, wherein each identity is unique to one of the plurality of distinct data resources of the one or more backend systems, and wherein multiple ones of the data sources have the same identity.

Note that claim 1 recites a very specific type of identity that is simply not suggested by the combination of Ng and felt. The same identity recited in claim 1 applies to multiple ones of the data sources of the application server that provide connections with the data resources of the one or more backend systems. Also, this same identity is unique to a distinct one of the data resources of the one or more backend systems. No such identity exists in Ng and/or Felt. Ng is directed to the problem of allowing all components working on the same transaction to request separate connections to a database even though the JDBC driver for the database requires that each connection with the database represents a separate transaction. *See* Ng, col. 3, lines 19-34. Ng solves this problem by using multiple virtual connections but only one physical connection with the database for each transaction. *See* Ng, col. 4, lines 1-41. Ng uses a table 60 (see FIG. 6) to map each physical connection to a particular transaction. When a component accesses its virtual connection, Ng's system uses table 60 to determine the physical connection to use for the component's transaction. *See* FIG. 7. This operation clearly does not involve an identity as recited in Applicants' claim 1. The Examiner has not identified what aspects of Ng that the Examiner believes corresponds to the data sources of the application server, or the identity, as recited in Applicants' claim 1. However, there is clearly no identity in Ng where multiple data sources on the application server side have that same identity that is also unique to a distinct data resource on the backend system side. Ng only identifies transactions and corresponding physical connections in a required one-to-one relationship.

Felt's disclosure is directed to allowing a lightweight client (like a client running on a single-user, unmanaged desktop PC [see col. 7, lines 55-66]) to reliably participate in transaction processing. It allows such clients in a transaction processing system to delegate the commit phase of a transaction to another entity, such as a server [see col. 8, lines 6-18]. Responsibility for transaction coordination is delegated to a transaction manager on the server. The Examiner makes no attempt in the rejection to explain how the teachings of Felt relate to the limitations recited in Applicants' claim 1. There is absolutely no mention whatsoever in Felt of a plurality of connection-providing data sources on the application server side having the same identity that is also unique to a distinct data resource on the backend system side.

In the Advisory Action, the Examiner refers to Felt's use of the two-phase commit protocol and data transactions between either single or multiple data source servers. However, this has no bearing whatsoever on what is actually recited in Applicants' claim. Just because two-phase commit is used with multiple data source servers does not mean that a plurality of

connection-providing data sources on the application server have the same identity that is also unique to a distinct data resource on the backend system side. In the Advisory Action the Examiner also states that the “transaction manager [of Felt] works with resource managers to provide access to a collection of database resources, which has the same function of determining unique data sources as claimed.” However, Applicants’ claim does not recite “determining unique data sources.” Instead, Applicants’ claim requires a very specific type of identity such that a plurality of connection-providing data sources on the application server side have the same identity that is also unique to a distinct data resource on the backend system side. **The Examiner has ignored the actual wording of Applicants’ claim.**

2. Ng in view of Felt does not teach or suggest using the identity to determine whether one of the plurality of data sources provides connections to the same data resource as another of the plurality of data sources.

As discussed above, Ng teaches determining the particular physical connection for a requesting component’s transaction so that the same physical connection is always used for all accesses in the same transaction. This is not at all suggestive of using a particular identity to determine whether one of the plurality of data sources (on the application server side) provides connection to the same data resource (on the backend system side) as another of the plurality of data sources. The purpose of Ng is to ensure that accesses that are part of the same transaction use the same physical connection. This is not at all relevant to using a particular identity to determine if multiple data sources of the application server provide connection to the same backend data resource. Thus, the Examiner’s reliance on Ng is clearly misplaced. Nor does Felt have any relevance whatsoever to this aspect of Applicants’ claim 1.

Claim 12:

1. Ng in view of Felt does not teach or suggest ascertaining an identity of a data source associated with the request, wherein the data source is configured to provide the connection to one of a plurality of distinct data resources, and wherein said identity is unique to said one of said plurality of distinct data resources.

The Examiner has never addressed this limitation of Applicants’ claim 12. The Examiner rejected claim 12 on the same basis as claim 1. However, claim 1 is not worded the

same as claim 12. **Therefore, a *prima facie* rejection has not been stated for claim 12.** Moreover, Ng combined with Felt clearly does not teach or suggest ascertaining an identity of a data source associated with the request, wherein the data source is configured to provide the connection to one of a plurality of distinct data resources, and wherein said identity is unique to said one of said plurality of distinct data resources. According to Ng, “When a component requests a database connection, the component is assigned a virtual connection.” Ng, col. 4, lines 13-15. There is clearly no mention in Ng of ascertaining an identity of a data source associated with the request to provide the connection, where the same identity is also unique to the distinct data resource to be connected to. Nor is this disclosed in Felt.

2. Ng in view of Felt does not teach or suggest comparing said identity with respective identities of multiple data sources with existing connections, wherein the identity of each of the multiple data sources is unique to a specific one of said plurality of distinct data resources.

The Examiner has never addressed this limitation of Applicants’ claim 12. The Examiner rejected claim 12 on the same basis as claim 1. However, claim 1 is not worded the same as claim 12. **Therefore, a *prima facie* rejection has not been stated for claim 12.** Moreover, Ng combined with Felt clearly does not teach or suggest comparing the identity of a data source associated with the request to the respective identities of multiple data sources with existing connections, wherein the identity of each of the multiple data sources is unique to a specific one of said plurality of distinct data resources. There is clearly no such comparing of identities described in either Ng or Felt. Ng teaches determining the particular physical connection for a requesting component’s transaction so that the same physical connection is always used for all accesses in the same transaction. This operation of Ng has absolutely nothing to do with comparing the identity of a data source associated with the request to the respective identities of multiple data sources with existing connections, wherein the identity of each of the multiple data sources is unique to a specific one of said plurality of distinct data resources. Nor does Felt have any relevance to this aspect of Applicants’ claimed invention.

Similar arguments apply in regard to independent claims 17, 18 and 23. Moreover, in regard to claims 17 and 23, **the Examiner has never addressed the limitations of:** attempting to identify a data source that is already participating in the transaction whose identity matches the identity of the data source associated with the request, wherein said attempting comprises comparing the ascertained identity to identities for a plurality of data sources, wherein each of the

plurality of data sources is configured to provide a connection with one of a plurality of distinct data resources, and wherein each identity is unique to one of the plurality of distinct data resources; sharing an existing connection associated with the identity if a data source with a matching identity is found; and providing a new connection if no data source with a matching identity is found. **Therefore, no *prima facie* rejection has been stated for these claims.**

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-93201/RCK.

Respectfully submitted,

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